

# **EXHIBIT B**

**CUSTOMER CLAIM**

Claim Number \_\_\_\_\_

Date Received \_\_\_\_\_

**BERNARD L. MADOFF INVESTMENT SECURITIES LLC**

In Liquidation

**DECEMBER 11, 2008**

Irving H. Picard, Esq.  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Ave., Suite 800  
Dallas, TX 75201

Provide your office and home telephone no.

OFFICE: Lay + Neville  
(218) 696-1999

HOME: \_\_\_\_\_

Taxpayer I.D. Number (Social Security No.)

051-38-5355 / 083-38-0295



Account Number: 1M0002

JOHN MACCABEE  
& SHERRY MORSE MACCABEE  
LIVING TRUST DATED 1/24/97  
436 LAKE STREET  
SAN FRANCISCO, CA 94118

(If incorrect, please change)

**NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.**

\*\*\*\*\*

1. Claim for money balances as of **December 11, 2008**:

- a. The Broker owes me a Credit (Cr.) Balance of \$ 0
- b. I owe the Broker a Debit (Dr.) Balance of \$ 0

- c. If you wish to repay the Debit Balance,  
please insert the amount you wish to repay and  
attach a check payable to "Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC."  
If you wish to make a payment, **it must be enclosed**  
with this claim form. \$ 0

- d. If balance is zero, insert "None." 0

2. Claim for securities as of **December 11, 2008**:

**PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.**

- |   | <u>YES</u> | <u>NO</u> |
|---|------------|-----------|
| a. The Broker owes me securities        | <u>✓</u>   | <u></u>   |
| b. I owe the Broker securities          | <u></u>    | <u>✓</u>  |
| c. If yes to either, please list below: |            |           |

Date of Transaction (trade date)	Name of Security	Number of Shares or Face Amount of Bonds	
		The Broker Owes Me (Long)	I Owe the Broker (Short)
<u></u>	<u>See the November 30, 2008</u>	<u></u>	<u></u>
<u></u>	<u>Account statement attached</u>	<u></u>	<u></u>
<u></u>	<u>as Exhibit A</u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or

**information regarding any withdrawals you have ever made or payments received from the Debtor.**

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

**PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.**

**NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.**

	<u>YES</u>	<u>NO</u>
3. Has there been any change in your account since December 11, 2008? If so, please explain.	_____	_____✓
4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?	_____	_____✓
5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?	_____	_____✓
6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)	_____	_____✓
7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.	_____	_____✓
8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.	_____	_____✓

9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker. \_\_\_\_\_ ✓

Please list the full name and address of anyone assisting you in the preparation of this claim form: Brian J. Neville, Esq., Law & Neville, LLP

1412 Broadway, suite 1407 New York, NY 10018

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

**IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.**

**THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.**

Date \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

**This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:**

Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Ave., Suite 800  
Dallas, TX 75201

# LAX NEVILLE

**LAX & NEVILLE, LLP**  
ATTORNEYS AT LAW

1412 Broadway, Suite 1407  
New York, NY 10018  
Tel (212) 696-1999  
Fax (212) 566-4531  
www.laxneville.com

**BARRY R. LAX**  
**BRIAN J. NEVILLE**

**BRIAN MADDOX**  
**SANDRA P. ESPINOSA**  
**RAQUEL TERRIGNO**

OF COUNSEL:  
**DAVID S. RICH**

June 17 2009

**VIA CERTIFIED MAIL**  
**RETURNED RECEIPT REQUESTED**

Irving H. Picard  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Avenue, Suite 800  
Dallas, TX 75201

RE: John Maccabee and Sherry Morse Maccabee Living Trust DTD 1/24/97/Bernard  
L. Madoff Investment Securities LLC

Dear Mr. Picard:

This firm represents the John Maccabee and Sherry Morse Maccabee Living Trust DTD 1/24/97 ("John Maccabee and Sherry Morse Maccabee Living Trust") and has assisted it with the preparation of its Bernard L. Madoff Investment Securities LLC ("Madoff Securities") SIPC Customer Claim Form. Enclosed herein you will find a completed Customer Claim Form for the John Maccabee and Sherry Morse Maccabee Living Trust account. Additionally, below is a description of the relationship between the John Maccabee and Sherry Morse Maccabee Living Trust and Madoff Securities. The statements made in this letter are true and accurate to best of our knowledge and belief, and are being provided to support the John Maccabee and Sherry Morse Maccabee Living Trust SIPC claims.

**LAX**  
**NEVILLE**

Irving H. Picard  
June 17, 2009  
Page 2 of 3

Sherry Morse and John Maccabee are married and are 58 and 63 years old, respectively. In or about 1975, John Maccabee opened the account with Madoff Securities. Contributions were made to the account in the approximate amount of \$120,000 in 1975, \$20,000 in 1982 and \$100,000 in 1985. In addition, sometime between 1989 and 1991, Sherry Morse may have contributed an additional \$30,000. In recent years, John Maccabee and Sherry Morse received regularly quarterly checks in the amount of \$8,775, totaling \$35,100 a year, which were used to pay taxes and for education expenses. Upon information and belief, Madoff Securities created three separate accounts within one account (Account Nos. 1-M0002-3-0, 1-M0002-7-0; 1-M0002-8-0). The balances in the John Maccabee and Sherry Morse Maccabee Living Trust account as of November 30, 2008 are \$101,067 for that portion of the account ending with #3, \$192,670 for that portion of the account ending with #7, and \$32,100 for that portion of the account ending with #8, for a total balance of \$325,837. See the John Maccabee and Sherry Morse Maccabee Living Trust November 30, 2008 account statement attached hereto as Exhibit A. Also attached hereto as Exhibit B are Madoff Securities October 2008 confirmations, which list SIPC membership, for the John Maccabee and Sherry Morse Maccabee Living Trust account. The John Maccabee and Sherry Morse Maccabee Living Trust paid to the IRS all appropriate capital gains taxes that resulted from the Madoff Securities account. Sherry Morse has been forced to try to rebuild her design business in a tumbling marketplace, and does not have a pension. John Maccabee is also self-employed and has very small pension. Sherry Morse and John Maccabee now have significantly reduced means to pay for living expenses and educational expenses for their two children and for retirement.

**LAX**  
**NEVILLE**

Irving H. Picard  
June 17, 2009  
Page 3 of 3

The John Maccabee and Sherry Morse Maccabee Living Trust received account statements and confirmations from Madoff Securities reflecting the securities purchased and showing it held securities in the account. Based upon the account statements and confirmations, the John Maccabee and Sherry Morse Maccabee Living Trust, at all times, expected to have those securities in its account. John Maccabee and Sherry Morse Maccabee always believed SIPC coverage would cover the securities listed as being in their account should Madoff Securities ever fail. The total balance in the John Maccabee and Sherry Morse Maccabee Living Trust account as of the filing date is \$325,837.

**CONCLUSION**

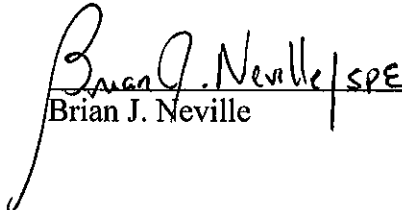
The John Maccabee and Sherry Morse Maccabee Living Trust is seeking the full protection of SIPA for its account as follows:

-	Account Nos: 1-M0002-3-0;	John Maccabee and Sherry Morse
	1-M0002-7-0; 1-M0002-8-0	Maccabee Living Trust DTD 1/24/97

Total = **\$325,837**

If there are any questions regarding this matter or if you require additional documents and information, please do not hesitate to contact me. Thank you.

Very truly yours,  
Lax & Neville, LLP

By:   
Brian J. Neville

ENC.

# **EXHIBIT A**

Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 334-1343  
Fax (212) 838-4061

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York ☐ London

JOHN MACCABEE  
5 SHERRY MORSE MACCABEE  
LIVING TRUST DATED 3/24/97  
436 LAKE STREET  
SAN FRANCISCO CA 94118

PERIOD ENDING 11/30/08  
PAGE 1  
YOUR ACCOUNT NUMBER 1-M0002-3-9  
YOUR TAX PAYER IDENTIFICATION NUMBER \*\*\*\*\*5355

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT CREDITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/03				BALANCE FORWARD			
11/25				DCI MARGIN INTEREST	INT	300,425.45	
				KB HOME	DIV	637.89	
				DIV 11/14/08 11/25/08			
11/25				DIV ADJ 11/14/08 11/25/08 KBH	JRNL	187.50	
				NEW BALANCE		301,063.34	
	2,000			SECURITY POSITIONS			
	3,000			DEVON ENERGY CORP NEW			
	2,500			KB HOME			
	6,000			SANDISK CORP			
				TARGET CORP			
				MARKET VALUE OF SECURITIES			
				LONG			
				SHORT			
				402,130.00			
							137.20

Affiliated with  
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New York, NY 10022  
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Fax (212) 838-4061

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

JOHN MACCABEE  
& SHERRY MORSE MACCABEE  
LIVING TRUST DATED 1/24/97  
436 LAKE STREET  
SAN FRANCISCO CA 94118

PERIOD ENDING 11/30/08 PAGE 2 3

YOUR ACCOUNT NUMBER 1-40002-3-0

YOUR TAX PAYER IDENTIFICATION NUMBER \*\*\*\*\*5355

DATE	BOUGHT RECEIVED OR LONG	SOLO DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
				YEAR-TO-DATE SUMMARY			
				DIVIDENDS		4,268.85	5,987.52
				MANSTN INTEREST			
				GROSS PROCEEDS FROM SALES			702,956.00

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FAX (212) 838-4061

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York ☐ London

JOHN MACCABEE  
& SHERRY MORSE MACCABEE  
LIVING TRUST DATED 1/24/97  
436 LAKE STREET  
SAN FRANCISCO CA 94118

PERIOD ENDING **11/30/08** PAGE **1** 2  
YOUR ACCOUNT NUMBER **1-M0002-7-0**  
YOUR TAX PAYER IDENTIFICATION NUMBER **\*\*\*\*\*5355**

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/25				BALANCE FORWARD			594,800.00
11/25				KB HOME	DIV	187.50	
				DIV 11/14/08 11/25/08	JRNL		187.50
				DIV ADJ 11/14/08 11/25/08 KBH			
				NEW BALANCE			594,800.00
				SECURITY POSITIONS			
		2,000		DEVON ENERGY CORP NEW	MKT PRICE		
		3,000		KB HOME	72.340		
		2,500		SANDISK CORP	11.630		
		6,000		TARGET CORP	8		
				MARKET VALUE OF SECURITIES	33.750		
				LONG			
				SHORT			
				402,120.00-			

**BERNARD L. MADOFF**  
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Affiliated with  
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Mayfair, London W1J 8DT  
Tel 020 7493 6222

JOHN MACCABEE  
& SHERRY MORSE MACCABEE  
LIVING TRUST DATED 1/24/97  
436 LAKE STREET  
SAN FRANCISCO CA 94118

PERIOD ENDING **11/30/03** PAGE **2**  
YOUR ACCOUNT NUMBER **1-90002-7-0**  
YOUR TAX PAYER IDENTIFICATION NUMBER **\*\*\*\*\*5355**

DATE	BOUGHT RECEIVED OR LONG	SOLO DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
				YEAR-TO-DATE SUMMARY			
				DIVIDENDS		187.50	
				GROSS PROCEEDS FROM SALES			594,600.00

Affiliated with:  
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Mayfair, London W1J 8DT  
Tel 020 7493 6222

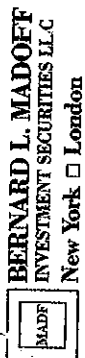
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Fax: (212) 838-4061

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York ☐ London

JOHN MACCABEE  
& SHERRY HORSE MACCABEE  
LIVING TRUST DATED 1/24/97  
435 LAKE STREET  
SAN FRANCISCO CA 94116

PERIOD ENDING 11/30/03	PAGE 1
YOUR ACCOUNT NUMBER 1-H0002-3-0	
YOUR TAXPAYER IDENTIFICATION NUMBER *****5355	

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
10/03	1,200		6138	BALANCE FORWARD			
10/03		1,200	35846	SPDR TRUST SER 1 UNITS	116.700	140,040.00	140,040.00
				NEW BALANCE	116.700		
				SECURITY POSITIONS			
		1,200		SPDR TRUST SER 1 UNITS	WKT PRICE 89.950		
				MARKET VALUE OF SECURITIES			
				LONG			
				SHORT			
				107,940.00-			



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New York □ London

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Fax (212) 838-4061

JOHN MACCABEE  
& SHERRY MORSE MACCABEE  
LIVING TRUST DATED 1/24/97  
436 LAKE STREET  
SAN FRANCISCO CA 94118

Affiliated with  
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Mayfair, London W1J 8DT  
Tel 020 7493 6222

PERIOD ENDING 11/30/98  
PAGES 2  
YOUR ACCOUNT NUMBER 1-M0002-S-0  
YOUR TAXPAYER IDENTIFICATION NUMBER \*\*\*\*\*5355

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
				YEAR-TO-DATE SUMMARY GROSS PROCEEDS FROM SALES			140,040.90

# **EXHIBIT B**



**BERNARD L. MADOFF**  
**INVESTMENT SECURITIES LLC**  
 New York ☐ London

MEMBER,  
 NASD CSE SIPC NSCC DTC

885 Third Avenue  
 New York, NY 10022  
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 800 334-1343  
 Fax 212 838-4061

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ORIGINATOR NO.		DELIVERED VIA	ACCOUNT NUMBER	D/R	TRANS. NO.	TR	CAP	SETT	TRADE DATE	SETTLEMENT DATE	
0646			1-M0002-8	R	35846	5	1		9/30/08	10/03/08	
IDENTIFICATION NO.		CONTRA PARTY				O.H. NUMBER		SPECIAL DELIVERY INSTRUCTIONS			

JOHN MACCABEE  
 & SHERRY MORSE MACCABEE  
 LIVING TRUST DATED 1/24/97  
 436 LAKE STREET  
 SAN FRANCISCO CA 94118

SHORT

WE	QUANTITY	CUSIP NUMBER	SECURITY DESCRIPTION	NET AMOUNT
BOT	1,200	78462F103	SPDR TRUST SER 1 UNITS	140040.00

PRICE	PRINCIPAL	COMMISSION	STATE TAX	INTEREST	REG. FEE	MISC.
116.700	140040.00					

Affiliated with:  
**Madoff Securities International Limited**  
 12 Berkeley Street, Mayfair, London W1J 8DT. Tel 020-7493 6222  
 Member of The London Stock Exchange

**BERNARD L. MADOFF****INVESTMENT SECURITIES LLC****New York □ London**

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MEMBER:

NASD CSE SIPC NSCC DTC

885 Third Avenue

New York, NY 10022

212 230-2424

800 334-1343

Fax 212 838-4061

17

ORIGINATOR NO.		DELIVERED VIA	ACCOUNT NUMBER	D/R	TRANS. NO.	CODES			TRADE DATE	SETTLEMENT DATE
0646			1-M0002-7	R	05850	5	1		10/02/08	10/07/08
IDENTIFICATION NO.		CONTRA PARTY				C.H. NUMBER		SPECIAL DELIVERY INSTRUCTIONS		

JOHN MACCABEE  
 E. SHERRY MORSE MACCABEE  
 LIVING TRUST DATED 1/24/97  
 436 LAKE STREET  
 SAN FRANCISCO CA 94118

Q  
SHORT AGAINST BOX

WE	QUANTITY	CUSIP NUMBER	SECURITY DESCRIPTION	NET AMOUNT
BOT	6,000	87612E106	TARGET CORP	284520.00

PRICE	PRINCIPAL	COMMISSION	STATE TAX	INTEREST	REG. FEE	MISC.
47.420	284520.00					

Affiliated with:

Madoff Securities International Limited

12 Berkeley Street, Mayfair, London W1J 8DT. Tel 020-7493 6222

Member of The London Stock Exchange

**BERNARD L. MADOFF****INVESTMENT SECURITIES LLC**New York ☐ London

ORIGINATOR NO.	DELIVERED VIA	ACCOUNT NUMBER	D/A	TRANS. NO.	TR	CAP	SETY	TRADE DATE	SETTLEMENT DATE
0846		1-M0002-7	R	05848	5	1		10/06/08	10/09/08
IDENTIFICATION NO.	CONTRA PARTY				C.H. NUMBER		SPECIAL DELIVERY INSTRUCTIONS		

JOHN MACCABEE  
 & SHERRY MORSE MACCABEE  
 LIVING TRUST DATED 1/24/97  
 436 LAKE STREET  
 SAN FRANCISCO CA 94118

Q  
 SHORT AGAINST BOX

17

WE	QUANTITY	CUSIP NUMBER	SECURITY DESCRIPTION	NET AMOUNT
BDT	3,000	48666K109	KB HOME	54870.00

PRICE	PRINCIPAL	COMMISSION	STATE TAX	INTEREST	REG. FEE	MISC.
18.290	54870.00					

Affiliated with:

Madoff Securities International Limited

12 Berkeley Street, Mayfair, London W1J 8DT. Tel 020-7493 6222

Member of The London Stock Exchange



**BERNARD L. MADOFF**  
**INVESTMENT SECURITIES LLC**  
**New York** ☐ **London**

Pg 20 of 20  
 MEMBER:  
 NASD CSE SIPC NSCC DTC

ORIGINATOR NO.	DELIVERED VIA	ACCOUNT NUMBER	D/R	TRANS. NO.	CODES			TRADE DATE	SETTLEMENT DATE	
0646		1-M0002-7	R	05849	5	1		10/07/08	10/10/08	
IDENTIFICATION NO.		CONTRA PARTY			C.M. NUMBER		SPECIAL DELIVERY INSTRUCTIONS			

JOHN MACCABEE  
 & SHERRY MORSE MACCABEE  
 LIVING TRUST DATED 1/24/97  
 436 LAKE STREET  
 SAN FRANCISCO CA 94118

Q  
 SHORT AGAINST BOX

WE	QUANTITY	CUSIP NUMBER	SECURITY DESCRIPTION	NET AMOUNT
BOY	2,500	80004C101	SANDISK CORP	46750.00

PRICE	PRINCIPAL	COMMISSION	STATE TAX	INTEREST	REG. FEE	MISC.
18.700	46750.00					

Affiliated with:  
**Madoff Securities International Limited**  
 12 Berkeley Street, Mayfair, London W1J 8DT. Tel 020-7493 6222  
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17